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Message Text

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11
ACTION L-03

INFO OCT-01 IO-13 ISO-00 AF-08 ARA-10 EA-09 EUR-12 NEA-10
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FM USMISSION USUN NEW YORK
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E.O. 11652: N/A
TAGS: PFOR, PDIP, UNGA
SUBJECT: SIXTH COMITE (LEGAL -- VIENNA CONVENTION ON
DIPLOMATIC RELATIONS

SUMMARY: COMITE CONCLUDED CONSIDERATION OF ITEM ON DEC. 8, FOLLOWING STATEMENTS OF HUNGARY, BYELORUSSIA, INDIA, NETHERLANDS, IRAN, JAPAN AND PARAGUAY. ONLY NETHERLANDS AND JAPAN CHALLENGED WISDOM OF SOVIET RESOLUTION, WHICH CALLS FOR STUDY OF DIPLOMATIC COURIER AND POUCH PROVISIONS OF VIENNA CONVENTION BY SECRETARIAT AND ILC AND FOR INSCRIPTION ON AGENDA 33RD UNGA. ON DEC. 9, COMITE ADOPTED RESOLUTION BY VOTE 72-2(US AND UK)-19. US AND OTHERS EXPLAINED VOTE. TEXT POUCHED STOWE (L/UNA). END SUMMARY.

1. HUNGARY, BYELORUSSIA AND INDIA STRESSED IMPORTANCE OF VIENNA CONVENTION AND LAMENTED VIOLATIONS OF IT. SAID PERIODIC STUDIES OF CONVENTION WOULD INCREASE COMPLIANCE. URGED STUDY OF DIPLOMATIC POUCH AND COURIER PROVISIONS WITH VIEW TOWARD ELABORATION OF PROTOCOL TO VIENNA CONVENTION BY ILC.

2. NETHERLANDS NOTED ONLY 15 STATES HAD RESPONDED TO LAST YEAR'S REQUEST FOR COMMENTS, AND SAID LACK OF RESPONSES MADE STUDY BY SECRETARIAT OR ILC PREMATURE.

3. IRAN NOTED IMPORTANCE OF VIENNA CONVENTION; STRESSED NEED FOR EXAMINATION OF IT TO ENSURE UP-TO-DATE; SUPPORTED SOVIET RESOLUTION; AND, URGED ADOPTION BY CONSESSUS.

4. JAPAN SAID LIMITED NUMBER OF REPLIES INDICATES PREMATURE TO INVOLVE ILC IN ANALYSIS OF DIPLOMATIC COURIER AND POUCH.
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ALSO NOTED HEVAY WORKLOAD OF ILC.

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5. PARAGUAY INTERVENED ONLY TO NOTE SOVIET RESOLUTION
INCLUDED NO DATE REFARDING ILC CONSIDERATION.

6. AT DEC. 9 MEETING, USSR INTRODUCED RESOLUTION ON ITEM.
UK INTERVENED TO NOTE IT WOULD ABSTAIN ON RESOLUTION BECAUSE
OF DIFFICULTIES WITH REFERRING DIPLMATIC COURIER PROVISIONS
TO ILC AND WITH STUDY OF THEM BY SECRETARIAT. SAID RESPONSES
OF STATES TO QUESTIONNAIR REGARDING DIPLOMATIC POUCH AND
COURIER WERE TO LIMITED TO JUSTIFY SOVIET RESOLUTION.

7. US SAID WOULD ABSTAIN ON RESOLUTION IF ALLOWED A PARAGRAPH-
BY-PARAGRAPH VOTE IN ORDER SPECIFICALLY INDICATE ITS POSITION.
IN PARAGRAPH VOTE, WOULD VOTE "NO" ON PREAMBULAR PARAGRAPH 3,
BECAUSE UNAWARE OF THE VIOLATIONS AND IT INSUFFICIENTLY CLEAR
ABUSES OF POUCH BY SENDERS ALSO INCLUDED, AND PREAMBULAR
PARAGRAPH 4, BECAUSE NOT CONVIENCED FROM COMMENTS OF STATES THAT
STUDYING PROVISIONS ON DIPLOMATIC POUCH WAS ADVISABEL. SAID
WOULD SUPPORT OPERATIVE PARAGRAPHS 1 AND 2. WOULD ABATAIN ON 3
BECAUSE UNSURE STATES NEED TO BE REQUESTED TO SUBMIT AGAIN.
WOULD NOTE NO ON OPERATIVE PARAGRAPHS 4, 5, AND 6 BECAUSE
INSUFFICENT STATES INTEREST TO JUSTIFY THEM. ALSO REGRETTED
FACT CO-SPONSORS OF RESOLUTION WERE UNWILLING TO NEGOTIATE
TEXT OF RESOLUTION EVEN THOUGH GROUNDS EXISTED FOR COMPROMISE.

8. US MOTION FOR SEPARATE VOTE WAS DEFEATED , 23(US, MOST WEO'S
AND SOME LA'S)- 39 (EE'S FRANCE AND SOME AFRICANS)-60 (MOST
AFRO-ASIANS AND LA'S).

9. BEFORE VOTE ON RESOLUTION, US SAID WOULD VOTE "NO" BECAUSE
UNABLE TO MAKE POSITION CLEAR ON SPECIFIC ASPECTS OF RESOLUTION
THROUGH PARAGRAPH-BY-PARAGRAPH VOTE.

10. RESOLUTION PASSED, 72-2(US AND UK)-19(WEO'S--LESS FRANCE,
FINLAND AND ITALY--AND SOME LA'S AND AFRICANS).

11. UK EXPLAINED VOTE "NO" BECAUSE NO OPPORTUNITY GIVEN TO
NEGOTIATE AND INABILITY SPECIFY POSITION THROUGH PARAGRAPH-BY-
PARAGRAPH VOTE.

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12. FRANCE AND FINLAND NOTED THEY HAD JOINED CONSESSUS BUT URGED
ILC NOT BE INVOLVED UNTIL ADDITIONAL COMMENTS OF STATES RECEIVED.

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